

**REDACTED PURSUANT TO ECF NO. 111**

**EXHIBIT 1**  
**to**

**DECLARATION OF ABIGAIL WALD IN SUPPORT  
OF DEFENDANT CITY AND COUNTY OF SAN  
FRANCISCO'S OPPOSITION TO PLAINTIFFS'  
MOTION FOR PRELIMINARY INJUNCTION**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

- - - - -  
JANE ROE, an individual; MARY ROE, ) CASE NO.  
an individual; SUSAN ROE, an ) 4:24-cv-01562-  
individual, JOHN ROE, an individual; ) JST  
BARBARA ROE, an individual; PHOENIX )  
HOTEL SF, LLC, a California limited )  
liability company, et al., )  
Plaintiffs, )  
vs. )  
CITY AND COUNTY OF SAN FRANCISCO, a )  
California public entity, )  
Defendant. )  
- - - - -

CONFIDENTIAL - PURSUANT TO PROTECTIVE ORDER  
VIDEOTAPED DEPOSITION OF JANE ROE  
MONDAY, SEPTEMBER 8, 2025

BEHMKKE REPORTING AND VIDEO SERVICES, INC.  
BY: KRISTIE COFFELT SHEPHERD, CSR NO. 14268  
550 CALIFORNIA STREET, SUITE 820  
SAN FRANCISCO, CALIFORNIA 94104  
(415) 597-5600

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6 Confidential Videotaped Deposition of JANE ROE,  
7 taken on behalf of Defendant, 1390 Market Street,  
8 7th Floor, San Francisco, California, commencing at  
9 10:19 A.M., MONDAY, SEPTEMBER 8, 2025, before Kristie  
10 Coffelt Shepherd, Certified Shorthand Reporter No. 14268,  
11 pursuant to Notice.  
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1 THE WITNESS: 17. He's going to be 18 in January.

2 BY MS. BERDUX:

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6 apartment in the last five years?

7 A. No. As a family, only us.

8 Q. What is the highest level of education you've  
9 completed?

10 A. Sixth.

11 Q. And where did you complete that? What school?

12 A. In Mexico.

13 Q. Great. How long have you lived in the United  
14 States?

15 A. I'm sorry. 19 years. 19 years.

16 Q. Great. Have you lived in any other apartments  
17 or locations in San Francisco?

18 A. Before I -- my husband and I rented a room.  
19 Then we moved to Ellis.

20 Q. Great. And did I hear or understand you  
21 correctly? How many -- oh -- that you've lived at Ellis  
22 Street for 19 years?

23 A. Yes.

24 Q. Great.

25 A. Before, it was a room. But my home is Ellis.

1           As a City employee, thank you for using that.  
2       We like it when -- when people who live here use that.  
3       It helps.

4           A.    Yes.

5           Q.    Okay. Other than 311, have you used any other  
6       ways to communicate your complaints to the City?

7           A.    No.

8           Q.    And just to confirm, when you submitted those  
9       complaints to the City, you did that anonymously, right?

10          A.    Yes.

11          Q.    And I think you gave your attorney copies of  
12       some of those complaints. I'll go over those in a  
13       moment. But let me ask you this.

14                Did you give your attorney all of the  
15       complaints that you made to the City?

16          A.    Yes.

17          Q.    Okay. And I'm just asking to make sure that I  
18       -- you've given everything that you have to your  
19       attorney so he can give it to me. That's the purpose of  
20       a few of these questions.

21                Were there any complaints that you made to the  
22       City that you've not given to him yet?

23          A.    No. What I remember is the emails that I sent  
24       to the City and the pictures. That's what my proofs  
25       are.

1 A. -- in the Tenderloin.

2 Q. Did the conditions that you've described, the  
3 dirty streets, people smoking, people selling drugs,  
4 using drugs, feces, blocked sidewalks, did you observe  
5 those conditions ever before the pandemic?

6 MR. MINOIEFAR: Object to form.

7 THE WITNESS: There were some that weren't, like --  
8 but not at the level that is now. There was respect.

9 BY MS. BERDUX:

10 Q. So these conditions did exist before the  
11 pandemic; is that right?

12 MR. MINOIEFAR: Object to form.

13 THE WITNESS: They have always existed.

14 BY MS. BERDUX:

15 Q. Okay. And I know they have gotten worse since  
16 the pandemic.

17 A. Yes.

18 Q. Okay. Before the pandemic, how often did you  
19 observe these conditions on Ellis Street?

20 MR. MINOIEFAR: Object to form.

21 THE WITNESS: I'm analyzing it. Could you please  
22 repeat the question?

23 BY MS. BERDUX:

24 Q. Absolutely. And let me offer a definition.

25 When I'm going to use the term "conditions"

1 A. Let's say it would get better after Sutter.

2 Q. Okay.

3 A. But Hyde, Leavenworth, Jones, Taylor.

4 Q. Yeah.

5 A. Larkin. I don't know what happens, you know,  
6 beyond those streets. I am only -- I have only  
7 witnessed those.

8 Q. Great. Thank you.

9 Before the pandemic, did you see the conditions  
10 that you've described every day?

11 A. As I said, there was a little bit of respect in  
12 the years prior. They would still think not to, you  
13 know, litter on the streets; no -- you know, no feces or  
14 using the street as a public bathroom. I think there  
15 was respect.

16 Q. Okay.

17 A. There was respect.

18 Q. Did you see -- before the pandemic, did you see  
19 the other conditions you've described; drug use or drug  
20 sales?

21 A. Before the pandemic?

22 Q. Yeah.

23 A. Yes, you could see it because it was impossible  
24 not to see it. But, as I said, this got worse.

25 Q. Yeah. And I want to try to understand based on

1 your experience how much worse. That's why I'm asking  
2 some of these details about how often and what  
3 specifically.

4 Before the pandemic, how often did you see the  
5 conditions?

6 MR. MINOIEFAR: Object to form.

7 THE WITNESS: You would see it a little bit. It  
8 existed maybe, but it wasn't so visible. They weren't  
9 so, you know -- like they didn't care. They show it.

10 BY MS. BERDUX:

11 Q. Okay. Did you -- did you see it every day  
12 before the pandemic? Or less?

13 MR. MINOIEFAR: Object to form.

14 THE WITNESS: You see it every day. I couldn't tell  
15 you -- you would see all of that, but there was a little  
16 bit of respect. They will still respect the people who  
17 walk by them.

18 BY MS. BERDUX:

19 Q. Okay. And when you say that -- that they would  
20 respect the people who lived in the neighborhood or  
21 walked by before, what do you mean by that?

22 MR. MINOIEFAR: Object to form.

23 THE WITNESS: The respect? It would be like by only  
24 littering in the street. And after the pandemic, you --  
25 you saw all the situations that I explained to you.



1 three times a month this happens and happens and  
2 happens.

3 Q. Has anyone ever physically attacked you?

4 A. Thank God, not yet, but it has been close. As  
5 I said, I learned how to, you know, shut up instead  
6 because my husband said, "One day you might not come  
7 back, so you better don't say anything, to learn how to  
8 shut up."

9 Q. What bus lines do you get harassed on?

10 A. For my daughters, the 27, the 19, 49, back and  
11 forth. Those are my lines, 38 for work -- for my work  
12 in different areas, 12 Folsom. I use a lot of  
13 transportation.

14 Q. Yeah. And so you get -- you also experience  
15 this harassment on the public transit?

16 THE INTERPRETER: Where you say?

17 MS. BERDUX: Public transit.

18 THE WITNESS: Yes. Yeah, that's why I say I better  
19 shut up and let the situation happen.

20 BY MS. BERDUX:

21 Q. Have you tried -- or have you called 911?

22 A. Yes. Yes. I haven't been, like, you know, cut  
23 with the knives. It's not a grave situation. They say,  
24 "Stay safe."

25 Q. How many times have you dialed 911?

1 on the garbages there. And then when I am going to  
2 work, then I see them coming to pick up the garbage.

3 And they have tried to wash the street a little  
4 more often in the few last months.

5 Q. And so do you know how many times they're  
6 washing -- and let me back up because I want to ask you  
7 about two different things. One is the street where  
8 cars can drive. And then the sidewalks, because I think  
9 that, you know, different people do different things at  
10 different times, different schedules.

11 So just focusing on the street for a moment  
12 where the cars can drive and park, not the sidewalks,  
13 how -- do you know how often there are street cleaners  
14 from the City on your street?

15 A. Excuse me. So the one -- those are the trucks  
16 that go by, you know, picking up the garbage?

17 Q. Yeah.

18 A. Sometimes it's difficult because, you know, the  
19 trucks come by, you know, picking up the garbage. I  
20 think it's the City.

21 Q. And how often does that happen?

22 MR. MINOIEFAR: Object to form.

23 THE WITNESS: This month, it has been daily on my  
24 street.

25 BY MS. BERDUX:

1 response like this?

2 A. Yes, she knows. You know, so I don't know if  
3 it's the same number that I have, but we will call,  
4 but -- but the responses were few.

5 Q. Okay. And this number here, 415-553-0123, did  
6 you personally ever call that number? I know your  
7 sister-in-law might have, but you personally?

8 A. I have another one. I don't know. I don't  
9 remember if it's the same one. I only label it  
10 "police." Again, it shows just to call directly without  
11 having to think whether that was the right number or  
12 not.

13 Q. Do you know what the number is?

14 A. I will -- I would go to contact the police --  
15 and "policia" in Spanish, P-O-L-I-C-I-A -- and I will  
16 call.

17 Q. Okay. But do you know that number?

18 A. Not by memory.

19 Q. Okay.

20 MS. BERDUX: All right. [Exhibit E](#) is another photo  
21 that was given to me by your attorney.

22 (Whereupon, [Exhibit E](#) was marked for  
23 identification.)

24 BY MS. BERDUX:

25 Q. This looks like another complaint to 311.

1 Does this look familiar to you?

2 THE INTERPRETER: What was the last part of the  
3 question?

4 BY MS. BERDUX:

5 Q. Does this look familiar to you?

6 A. Yes.

7 Q. And it's -- I think it's from two years ago; is  
8 that right?

9 A. Yes, it's correct.

10 Q. Did you take these photos?

11 A. Yes. I took them, but I didn't want to have so  
12 many -- so much of them on my phone. I wanted to get --  
13 get them off my phone because I was tired of seeing so  
14 much.

15 Q. Okay. So these photos you personally took on  
16 your phone; right?

17 A. Yes, and then I will share them with my  
18 sister-in-law so she could help me because -- so me and  
19 my phone, sometimes when I couldn't be -- I couldn't  
20 send it. I don't know what I was doing. And I would  
21 get frustrated and tell them, you know -- tell her to  
22 send them.

23 Q. Okay. And so this is a report that your  
24 sister-in-law made?

25 A. So the English, I have to -- I have to write it

1 see the hotel parking. You see the hotel parking there.

2 Q. Okay.

3 A. I have to go through that to be able to go to  
4 school.

5 Q. Okay. All right. Thank you for that  
6 description.

7 MS. BERDUX: [Exhibit F](#). This looks like another 311  
8 complaint about -- well, a year ago is all it says.

9 (Whereupon, [Exhibit F](#) was marked for  
10 identification.)

11 BY MS. BERDUX:

12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED] [REDACTED] [REDACTED]  
15 [REDACTED] [REDACTED]  
16 [REDACTED] [REDACTED]  
17 [REDACTED] [REDACTED]  
18 [REDACTED]

19 [REDACTED]  
20 [REDACTED]

21 Q. Okay. And it looks like there's a man with a  
22 red hat, but I can't tell if he's standing in front of  
23 this metal fence, or if he's in front of the door to  
24 your apartment, the gate to your apartment.

25 A. He was to one side of the building.

1 No, I guess not. Okay. Exhibit J. This looks like  
2 another complaint to 311.

3 Does this look familiar to you?

4 A. Yes.

5 Q. Okay. And did you take these photos?

6 A. Yes.

7 Q. Okay. And these photos were taken two years  
8 ago; is that right?

9 A. Yes.

10 Q. Okay. And similar to the other complaints to  
11 311, did you send these photos to your sister-in-law,  
12 and she translated your explanation in Spanish; where,  
13 here, we see in English (as read): "Please could the

█

██

█

██

█

██

█

██

18 Where were you standing when you took these  
19 photos?

20 A. The laundry. You can see it there. The  
21 laundromat.

22 Q. Is this where you do your laundry?

23 A. Yes.

24 Q. Okay. And so you were taking a photograph of  
25 the conditions that you have to pass in order to get

1 know of any other hotels that are being used as  
2 shelters?

3 MR. MINOIEFAR: Object to form.

4 THE WITNESS: I don't know.

5 BY MS. BERDUX:

6 Q. And why do you think the use of those hotels as  
7 shelters has caused more problems in your neighborhood?

8 MR. MINOIEFAR: Object to form.

9 THE WITNESS: I don't know. I only know that I am  
10 witness of -- to, you know what happens in the  
11 Tenderloin.

12 MS. BERDUX: Okay. Let me remove these. Thank you.

13 I also printed out some other Google images from  
14 Google Maps. I think we're on Q.

15 (Whereupon, [Exhibit Q](#) was marked for  
16 identification.)

17 BY MS. BERDUX:

18 Q. Okay. Let me give you Q first. According to  
19 Google Maps, this was taken sometime in January 2025.  
20 Does that look familiar?

21 A. Yes.

22 Q. Do you see your building in that photo?

23 A. Yes.

24 Q. Okay. Let me mark it. Sorry.

25 And is this the entrance to your building?

Q. I circled the entrance to the building where  
you live.

A. Yes.

Q. Did I draw a bad square or rectangle along your  
bedroom windows?

A. Yes.

Q. Okay. Is this what your neighborhood looked  
like -- not neighborhood but what we see in the photo in  
January 2025?

MR. MINOIEFAR: Object to form.

THE WITNESS: Yes. Those scaffolds are not there at  
this minute. They just painted the building. They took  
them away. There are no scaffolds anymore.

MS. BERDUX: Okay. This is [Exhibit R](#).

(Whereupon, [Exhibit R](#) was marked for  
identification.)

BY MS. BERDUX:

Q. This is also a Google Maps image taken in  
January 2025. I don't think that includes your  
apartment building, but is that the block of Ellis that  
you live on?

THE INTERPRETER: The what?

BY MS. BERDUX:



1 Q. The block of Ellis that you live on.

2 A. Exactly.

3 Q. Is this what your neighbor -- your street -- or  
4 this area of the street looked like in January 2025?

5 MR. MINOIEFAR: Object to form.

6 BY MS. BERDUX:

7 Q. More or less?

8 MR. MINOIEFAR: Object to form.

9 THE WITNESS: This is my neighborhood.

10 MS. BERDUX: Okay. [Exhibit S](#) is another photo from  
11 January 2025.

12 (Whereupon, [Exhibit S](#) was marked for  
13 identification.)

14 BY MS. BERDUX:

15 Q. Does that look familiar?

16 A. Yes.

17 Q. Is that also the block that you live on?

18 A. Yes.

19 MS. BERDUX: [Exhibit T](#) is another Google Map dated  
20 January 2025. It's a little bit closer, I think, to  
21 your building.

22 (Whereupon, [Exhibit T](#) was marked for  
23 identification.)

24 BY MS. BERDUX:

25 Q. Do you recognize that as the street that you

1 live on -- I should say the block that you live on?

2 A. Yes.

3 Q. Okay. Is that generally what it looked like in  
4 January 2025?

5 MR. MINOIEFAR: Object to form.

6 THE WITNESS: A small change.

7 BY MS. BERDUX:

8 Q. Okay.

9 A. But --

10 Q. Do you recognize that as your neighborhood?

11 MS. BERDUX: Let me show you [Exhibit U](#).

12 (Whereupon, [Exhibit U](#) was marked for  
13 identification.)

14 BY MS. BERDUX:

15 Q. This one is from Google Maps, according to  
16 Google, in March 2022. And is that the block of Ellis  
17 that you live on?

18 A. Yes.

19 Q. And is that generally what your neighborhood  
20 looked like in March 2022?

21 MR. MINOIEFAR: Object to form.

22 THE WITNESS: What year again?

23 BY MS. BERDUX:

24 Q. 2022.

25 A. Maybe they took it when it was clean.

1 MS. BERDUX: Okay. Here's another photo from Google  
2 Maps, March 2022. What exhibit -- oh. [Exhibit V](#).

3 (Whereupon, [Exhibit V](#) was marked for  
4 identification.)

5 BY MS. BERDUX:

6 Q. I think it's just a little bit farther up the  
7 street. Is that the block that you lived on -- live on  
8 -- excuse me -- but lived on in March 2022?

9 A. Yes.

10 Q. And is that what it looked like in March 2022?

11 MR. MINOIEFAR: Object to form.

12 THE WITNESS: I saw a little -- a bit of what --  
13 this kind of cleanings they did.

14 MS. BERDUX: Okay. [Exhibit W](#) is a Google image that  
15 Google says was taken June 2021.

16 (Whereupon, [Exhibit W](#) was marked for  
17 identification.)

18 BY MS. BERDUX:

19 Q. Is your block in this picture?

20 A. Yes.

21 Q. Is this what your block looked like in  
22 June 2021?

23 MR. MINOIEFAR: Object to form.

24 THE WITNESS: My God, is my neighborhood bad. It  
25 didn't look like that.

1 BY MS. BERDUX:

2 Q. It was -- it had the conditions that you've  
3 described throughout your deposition today?

4 MR. MINOIEFAR: Object to form.

5 THE WITNESS: Yes.

6 BY MS. BERDUX:

7 Q. Okay.

8 MS. BERDUX: This is a Google image from June 2021  
9 also. Is this your --

10 THE INTERPRETER: June 2021?

11 MS. BERDUX: Yeah.

12 (Whereupon, [Exhibit X](#) was marked for  
13 identification.)

14 BY MS. BERDUX:

15 Q. Is that your block? That's [Exhibit X](#). Is that  
16 the block you live on?

17 A. Yes.

18 Q. That looks like the -- is that what your  
19 neighborhood looked like, your street anyway, in  
20 June 2021?

21 MR. MINOIEFAR: Object to form.

22 THE WITNESS: It is my neighborhood. But I don't  
23 know where they got those photos so clean.

24 MS. BERDUX: Okay. The last one I have is [Exhibit Y](#)  
25 from Google Maps, June 2021.

1 (Whereupon, [Exhibit Y](#) was marked for  
2 identification.)

3 BY MS. BERDUX:

4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]

13 A. They were painting. They would then, you know,  
14 litter and then cleaning. I wish it had looked like  
15 that all day long.

16 Q. Yeah. We talked a little bit about what you've  
17 seen the City do, like the street sweeping that's done.  
18 Do other neighbors on your street also try to clean up  
19 or clean the sidewalks?

20 MR. MINOIEFAR: Object to form.

21 BY MS. BERDUX:

22 Q. If you know.

23 A. I don't know.

24 Q. Okay. Do you know if any of your other  
25 neighbors on your block have been harassed in the same

1 THE WITNESS: I don't remember.

2 BY MS. BERDUX:

3 Q. Since the Cova Hotel has closed, are there  
4 still people loitering in front of it -- its entrance?

5 A. No. What I mentioned before about the other  
6 hotel, that they come to where I live.

7 Q. When you were describing drug dealers moving  
8 around. Is that what you mean?

9 A. Yes.

10 MS. BERDUX: I just want to grab those other videos.

11 Do you want to take a little break?

12 MR. MINOIEFAR: Sure.

13 MS. BERDUX: Yeah, let's go off.

14 THE VIDEOGRAPHER: Going off the record. The time  
15 is 5:08.

16 (Brief Recess, 5:08 p.m. - 5:20 p.m.)

17 THE VIDEOGRAPHER: Back on the record. The time is  
18 5:20.

19 MS. BERDUX: All right. A couple more videos were  
20 given to me by your attorney this morning, so I just  
21 want to mark and play those.

22 I think we're on Z.

23 (Whereupon, [Exhibit Z](#) was marked for  
24 identification.)

25 BY MS. BERDUX:

1 do you -- well, let me back up. Strike that. I'm  
2 sorry. I'm getting tired at the end of the day also.

3 We've looked during your deposition at a few  
4 311 complaints that you had your sister-in-law submit.  
5 Were there any others that you submitted that we didn't  
6 review during your deposition?

7 THE INTERPRETER: That you -- excuse me -- that you  
8 what? Can you finish, Ms. Sabrina, the last part of the  
9 question?

10 BY MS. BERDUX:

11 Q. Yeah. Let me see.

12 Were there any other 311 complaints that were  
13 submitted that we didn't go through here in your  
14 deposition with the exhibits?

15 A. No, none.

16 Q. What was that?

17 THE INTERPRETER: Oh, one more?

18 THE WITNESS: No, none.

19 BY MS. BERDUX:

20 Q. Okay. So what we have reviewed today during  
21 your deposition are all of the 311 reports that you're  
22 aware of that have been made either from you or your  
23 sister-in-law; is that right?

24 A. Yes.

25 Q. Okay. Thank you.

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JANE ROE



1 STATE OF CALIFORNIA )  
2 ) ss.  
3 COUNTY OF SONOMA )

4 I, Kristie Coffelt Shepherd, CSR No. 14268, do  
5 hereby certify:

6 That the foregoing proceedings were taken before  
7 me at the time and place therein set forth, at which  
8 time the witness declared under penalty of perjury; that  
9 the testimony of the witness, JANE ROE, and all  
10 objections made at the time of the examination were  
11 recorded stenographically by me and were thereafter  
12 transcribed under my direction and supervision; that the  
13 foregoing is a full, true, and correct transcript of my  
14 shorthand notes so taken and of the testimony so given.

15 I further certify that I am not financially  
16 interested in the action, and I am not a relative or  
17 employee of any attorney of the parties, nor of any of  
18 the parties.

18 Dated this 12th day of September, 2025.

20 Read and Sign was: Requested.

21  
22   
23

24 KRISTIE COFFELT SHEPHERD, CSR NO. 14268

25 STATE OF CALIFORNIA